

The Legal News.

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Re Dwight and Macklam, before the Ontario Court of Appeal, presented a point of some interest. Upon the trial of a petition under the Ontario Controverted Elections Act, a telegraph operator was examined as a witness, and was asked to produce the originals of certain telegrams alleged to have been sent by the respondent to certain voters the day before the election. The witness stated that the telegrams had been burned after he had been subpoenaed, upon instructions received in the form of a telegram from the general manager of the telegraph company. He said the telegrams should have been destroyed before, in accordance with a standing rule of the company, but that he had neglected to do so at the proper time. The Court held that the general manager and the operator were guilty of a contempt of court. Documents which had been in existence were destroyed during the trial by the deliberate action of the general manager, and the Court was thereby hindered in the prosecution of an investigation of a public nature. It was held that no privilege attaches to telegrams in the possession of a telegraph company, and that the operator was the proper person to subpoena to produce them, as he had the control of them, and the ability to produce them.

The judges in France appear to be resolved that no political element shall enter into the proceedings before their tribunals. The incident, unimportant in itself, of a member of the legislature using paper with the official heading, gave rise to the following dialogue in the Cour d'Assises de la Seine :—

M. le Président : Maître Laguerre, vos conclusions sont rédigées sur du papier avec un entête de la Chambre des députés. Je vous ferai observer qu'ici nous ne connaissons ni député, ni sénateur. Ce n'est pas convenable.

M. Laguerre : Je n'accepte pas cette expression de "pas convenable." J'ai rédigé ces conclusions à la hâte sur le papier que j'avais sous la main, et je trouve l'observation de M. le président très singulière.

M. le Président : Je suis ici l'interprète de toute la magistrature. Pour elle, il n'y a pas de députés, il n'y a que la justice. Il ne faut pas qu'on paraisse se servir d'un titre comme celui-là pour impressionner ses juges. Ici vous n'êtes plus député, vous êtes simplement avocat et au nom de la magistrature française je maintiens mon observation.

M. l'avocat général Reynaud : Messieurs, je veux qu'il ne reste rien de l'incident. Je suis convaincu que Me. Laguerre a agi par inadvertance.

Me. Falateuf : C'est entendu et j'en suis aussi sûr que possible.

M. le Président : C'est évident, mais je devais faire cette observation.

A certain collection "association" in the United States seems to be very fond of the term "reliable." He is not content with professing to give the "reliability" of the sixty thousand lawyers in the United States and Canada (see Vol. 10, p. 49), but he now essays to give a list of the most "reliable" law periodicals in the same territory. We have urgent appeals to join this glorious band, concluding with "We hope we shall not have to leave you out of the list,"—the condition of being represented as "reliable" being the payment of two dollars for the aforesaid guide to "reliability." We should have no objection to contribute to this person's needs if a deserving applicant for relief; but to the coercive methods of the sturdy beggar, so happily described in *Gil Blas*, we have a decided objection, and we trust we have no reader so ignorant or ill-advised as to be misled by this form of importunity.

Another kind of application reaches us from time to time. It is a request for the terms upon which certain announcements, generally known as "medical advertisements," will be inserted in the *Legal News*. One answer may suffice for all. No advertisements of this class will be inserted on any terms in this journal.

NEW PUBLICATION.

The Mercantile Law of England and the United States, by John William Smith, with notes, etc., by C. C. Pomeroy. San Francisco, Bancroft-Whitney Co., publishers.

This is an American edition of a standard text-writer. The editor has adhered to the general plan and scope of the original work;